

**Arizona Department of Water Resources**

Groundwater Permitting Section
3550 North Central Avenue, Phoenix, Arizona 85012
(602) 771-8586 Web: www.azwater.gov

**Application for Restoration of Extinguished
Irrigation Grandfathered Groundwater Right**

A.A.C. R12-15-723(I)

- ❖ **The fee for an application for Restoration of Extinguished Irrigation Grandfathered Groundwater Right is \$250.00.** Payment may be made by cash, check, or credit card. Checks should be made payable to the Arizona Department of Water Resources. Fees for an application for Restoration of Extinguished Irrigation Grandfathered Groundwater Right are authorized by **A.R.S. § 45-113 and A.A.C. R12-15-723(J)(1)**. Failure to enclose the application fee will cause the application to be returned.

- ❖ Only irrigation grandfathered rights extinguished in **2005, 2006 or 2007** are eligible for restoration.

- ❖ Application for restoration must be filed on or before December 31, 2015.

- ❖ Applicant must possess current ownership of the land to which the right was appurtenant and **either**

(1) for restoration of the entire irrigation grandfathered right, extinguishment credits equal to the amount of credits issued for the extinguishment of the right or (2) for restoration of a portion of the irrigation grandfathered right, extinguishment credits equal to the result obtained by multiplying the percentage of the right to be restored by the amount of credits issued in exchange for the extinguishment of the entire right.

- ❖ If a Certificate of Extinguishment Credits was issued for the extinguishment credits, the original certificate. If the original certificate has been lost, an affidavit to this effect must be submitted.

- ❖ Include the following with the application:

- A copy of the deed showing applicant owns the land to which the right or portion of the right to be restored is appurtenant. If only a portion of the right is to be restored the legal description of the land to which the portion of the right was appurtenant is required.
- A map generated by the County Assessor or ADWR outlining the borders of the acres to be restored.

DATE RECEIVED

EXTINGUISHED IRRIGATION GRANDFATHERED RIGHT NO.										ACTIVE MANAGEMENT AREA (CHECK ONE)			
58 -										<input type="checkbox"/> PHOENIX	<input type="checkbox"/> PINAL	<input type="checkbox"/> PRESCOTT	<input type="checkbox"/> TUCSON
										<input type="checkbox"/> PINAL – Refer to page 2 for additional Pinal AMA instructions			
APPLICANT													
FULL NAME OF COMPANY, ORGANIZATION, OR INDIVIDUAL										YEAR OF EXTINGUISHMENT (CHECK ONE)			
										<input type="checkbox"/> 2005 <input type="checkbox"/> 2006 <input type="checkbox"/> 2007			
MAILING ADDRESS										RESTORATION TYPE (CHECK ONE)			
										<input type="checkbox"/> FULL RESTORATION <input type="checkbox"/> PARTIAL RESTORATION			
CITY / STATE / ZIP CODE										NUMBER OF IRRIGATION ACRES TO RESTORE			
										_____ ACRES			
CONTACT PERSON NAME AND TITLE										NUMBER OF EXTINGUISHMENT CREDITS CURRENTLY OWNED BY APPLICANT IN THE AMA INDICATED ABOVE			
										_____ CREDITS			
TELEPHONE NUMBER										LEGAL DESCRIPTION			
										Township (N/S) Range (E/W) Section 160 Acre 40 Acre 10 Acre			

- (1) I hereby request that the Arizona Department of Water Resources restore the above-referenced grandfathered right.
- (2) I hereby certify that I own the land to which the right or portion of the right was appurtenant and that the information provided by me in this application is true and correct
- (3) I hereby agree that if the right or portion of the right is restored, the flexibility account for the land to which the right or portion of the right is appurtenant shall have an account balance of zero at the beginning of the calendar year in which the right or portion of the right is restored and that any credits registered to the flexibility account after the right is restored may not be conveyed or sold to any person, including the applicant.
- (4) I hereby agree that if the right or portion of the right is restored, I will forfeit extinguishment credits held by me in the Active Management Area in which the right is located in the following amount:
- (a) for restoration of the entire irrigation grandfathered right, extinguishment credits equal to the amount of credits issued for the extinguishment of the right or (b) for restoration of a portion of the irrigation grandfathered right, extinguishment credits equal to the result obtained by multiplying the percentage of the right to be restored by the amount of credits issued in exchange for the extinguishment of the entire right.
- (5) I hereby certify that the land to which the right or portion of the right to be restored was appurtenant is physically capable of being irrigated and the infrastructure for delivering water to the land for irrigation purposes remains intact and is operable.

SIGNATURE OF RIGHTHOLDER

DATE

❖ Pinal Active Management Area Instructions:

To assist those right holders located in the Pinal Active Management Area regarding the number of credits needed to restore or partially restore an extinguished irrigation grandfathered right contact the Department at (602) 771-8500. There was a change to the Arizona Administrative Code effective September 12, 2006 that may affect the number of extinguishment credits needed in order to restore or partially restore an irrigation grandfathered groundwater right.

❖ General Instructions:

To fully restore an IGFR the applicant shall:

- (1) Own an amount of extinguishment credits equal to the credits issued for the IGFR extinguishment
- (2) If a certificate of extinguishment was issued by ADWR, possess the original certificate of extinguishment credits or an affidavit stating the certificate is lost

Or

Possess extinguishment credits that total an amount equal to the amount of credits issued in exchange for the extinguishment of the IGFR.

A "Conveyance of Extinguishment Credits" form must be completed and submitted with this application if the applicant does not possess enough extinguishment credits for an IGFR restoration.

❖ Licensing Time Frames

The Director shall review an application to restore an irrigation grandfathered right pursuant to the licensing time-frame provisions in A.A.C. R12-15-401. The application shall have an administrative completeness review time-frame of 30 days, a substantive review time-frame of 90 days and an overall time-frame of 120 days.